

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29017 of 2023

Arising Out of PS. Case No.-245 Year-2021 Thana- KHUSRUPUR District- Patna

RISHABH RAJ S/O NAWAL RAY R/O Village- Rupas, Bahadurpur, P.O and
P.S- Athmalgola, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Alka Singh, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

Allegation is of recovery of 600 ml. from a motorcycle and one Ranjan Kumar was arrested.

Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is further submitted that petitioner came to be implicated based on the fact that he is owner of the motorcycle. It is next submitted that no prudent person would use his own vehicle for committing a crime and



thus would create evidence against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that Ranjan Kumar would misuse the vehicle in the manner as alleged.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khushrupur P.S. Case No. 245 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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